

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA and  
INTERNAL REVENUE SERVICE,

Petitioners,

Misc. No. 07-13 JB

vs.

KENT CARTER,

Respondent.

**UNOPPOSED MOTION TO DISMISS**

The United States of America and Internal Revenue Service (IRS), by and through undersigned counsel, respectfully request the Court to dismiss this action with prejudice. The IRS will not seek from Mr. Carter further enforcement of the two IRS summonses at issue herein (Doc. 1, Exhibits A1 and A2).

WHEREFORE the United States and the IRS request the Court to dismiss this action with prejudice.

Respectfully submitted,

LARRY GOMEZ  
United States Attorney

*Electronically filed 11/28/07*  
CYNTHIA L. WEISMAN  
Assistant U. S. Attorney  
P. O. Box 607  
Albuquerque, NM 87103  
Tel. (505) 346-7274  
Fax (505) 346-7205

I hereby certify that on November 28, 2007, I filed the foregoing electronically through the CM/ECF system, and that a true and correct copy of the foregoing was mailed, postage prepaid, by depositing in the United States mail to:

Kent Carter  
P.O. Box 5033  
Carlsbad, NM 88221

Electronically filed 11/28/07

CYNTHIA L. WEISMAN  
Assistant U.S. Attorney

N:\CWeisman\Cases-New\Tax\Carter Kent\motion dismiss.wpd